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August 5, 2008

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(Via email and FedEx)

Re: *State of Oklahoma v. Tyson et al.*, No. 05-CV-0329-GKF-SAJ

Dear Michael:

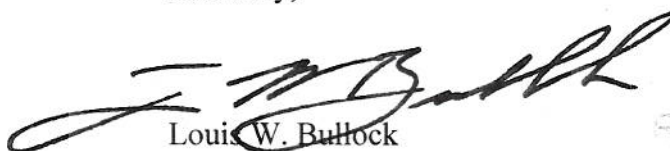
Pursuant to the Court's order of January 5, 2007 (Dkt. 1016), and without waiving our objections, we are today FedExing to you STOK-CD88, along with an index of the data being produced.

Included with this production is sampling that has been undertaken by the Oklahoma Scenic Rivers Commission (OSRC). As I have stated before, while the production of the OSRC data may be covered by other discovery from the Defendants, it is not subject to the Court's January 5, 2007 Order or the Court's Order which requires expedited production of the results of the analysis of data collected by the State's retained experts. These materials are being produced in this expedited fashion as an accommodation.

Also included are Aquatic Research reports, along with CDM's review of those reports. With one exception, the Aquatic Research reports provided in this production were previously provided as preliminary results that have now completed their QA/QC review and are now finalized. The exception to this is STOK 00056257 – STOK 00056259 which was apparently overlooked during the prior production and is now produced as final results.

Should you have any questions concerning this production, please do not hesitate to call.

Sincerely,



Louis W. Bullock

Exhibit M

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KUTAK ROCK LLP

State of Oklahoma v. Tyson, et al.
Plaintiff's Document Production Index
For documents produced August 5, 2008

STOK 56235-56243	Oklahoma Scenic Rivers Commission Quality Assurance Laboratory Sample Analysis Report 2008071617 (594926-594934) Date of sampling: 07-16-08	STOK-CD88
STOK 56244-56247	Email from EPA re holding times for samples	STOK-CD88
STOK 58248	Aquatic Research CDM002-85: Data evaluation by CDM	STOK-CD88
STOK 56249-56251	Aquatic Research CDM002-85: Report and chain of custody	STOK-CD88
STOK 56252	Aquatic Research CDM002-86: Data evaluation by CDM	STOK-CD88
STOK 56253-56255	Aquatic Research CDM002-86: Report and chain of custody	STOK-CD88
STOK 56256	Aquatic Research CDM002-87: Data evaluation by CDM	STOK-CD88
STOK 56257-56259	Aquatic Research CDM002-87: Report and chain of custody	STOK-CD88
STOK 56260	Aquatic Research CDM002-88: Data evaluation by CDM	STOK-CD88
STOK 56261-56263	Aquatic Research CDM002-88: Report and chain of custody	STOK-CD88
STOK 56264	Aquatic Research CDM002-89: Data evaluation by CDM	STOK-CD88
STOK 56265-56267	Aquatic Research CDM002-89: Report and chain of custody	STOK-CD88
STOK 56268	Aquatic Research CDM002-90: Data evaluation by CDM	STOK-CD88
STOK 56269-56271	Aquatic Research CDM002-90: Report and chain of custody	STOK-CD88
STOK 56272	Aquatic Research CDM002-91: Data evaluation by CDM	STOK-CD88
STOK 56273-56275	Aquatic Research CDM002-91: Report and chain of custody	STOK-CD88
STOK 56276	Aquatic Research CDM002-92: Data evaluation by CDM	STOK-CD88
STOK 56277-56279	Aquatic Research CDM002-92: Report and chain of custody	STOK-CD88